

process is not a viable option; the 2006 fire season is already upon us in the West, and these funds are needed immediately.

Mr. President, I thank the Senate for recognizing this emergency on the national forests throughout the country.

The PRESIDING OFFICER. Is there further debate?

Mr. SALAZAR. Mr. President, I thank the chairman.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3736) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. COCHRAN. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Colorado.

Mr. SALAZAR. Mr. President, I thank the Senator from Mississippi as well as the floor manager from Washington, my distinguished friends, for their assistance on this important issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. OBAMA. Mr. President, what is the pending amendment?

The PRESIDING OFFICER. The Coburn amendment is the pending amendment.

AMENDMENT NO. 3810

Mr. OBAMA. Mr. President, I ask unanimous consent to set aside the pending business so I may call up my amendment No. 3810.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. OBAMA] proposes an amendment numbered 3810.

Mr. OBAMA. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that none of the funds appropriated by this Act may be made available for hurricane relief and recovery contracts exceeding \$500,000 that are awarded using procedures other than competitive procedures)

On page 253, between lines 19 and 20, insert the following:

ACCOUNTABILITY IN HURRICANE RECOVERY CONTRACTING

SEC. 7032. None of the funds appropriated by this Act that are made available for relief and recovery efforts related to Hurricane Katrina and the other hurricanes of the 2005 season may be used by an executive agency to enter into any Federal contract exceeding \$500,000 through the use of procedures other than competitive procedures as required by the Federal Acquisition Regulation and, as applicable, section 303(a) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(a)) or section 2304(a) of title 10, United States Code.

Mr. OBAMA. Mr. President, to begin with, I thank the floor managers on this bill for their help in finding the time to call up this amendment. I would love to get advice from the Senator from Colorado in terms of how to unanimously get an amendment accepted.

After the devastation of Hurricane Katrina, millions of Americans opened their hearts, their homes, and their wallets to help the victims in the gulf coast. Even before Katrina's winds and rains died down, Americans across the country called national hotlines and pledged their hard-earned dollars, their time, and their prayers to the relief effort.

But they didn't just pledge—they also delivered. They delivered to the tune of \$3.5 billion. Many of these donations came from working-class families who didn't have much to give, but they gave what they could.

Like the American people, President Bush made a pledge after the disaster. He pledged he would provide the gulf coast with the Federal assistance it needed to get back on its feet. With the bill now before us, the total amount of Federal funding for hurricane recovery will exceed \$100 billion, and it is safe to say more money will be needed in the months and years to come.

But in order to make good on the President's pledge, we need to do more. We need to pledge to be responsible stewards of taxpayer dollars. We owe this to the Americans who donated their own funds to hurricane relief efforts and to those who trust us each day with the tax money they send to Washington. Unfortunately, we haven't done a very good job so far of delivering on this pledge.

Yesterday, Senator COBURN and I came to the floor to detail the numerous instances of waste, fraud, and abuse in the use of Katrina funds. We know that FEMA spent nearly \$880 million in taxpayer money on 25,000 temporary housing trailers stored around the country, including 11,000 that are currently rusting away in a field in Arkansas.

There are reports of prime contractors charging upward of \$30 per cubic yard for debris removal—work that actually costs subcontractors as little as \$6 per cubic yard.

As the Washington Post reported, four large companies are charging 1,500-percent markups—1,500-percent markups—to cover damaged roofs with plastic tarps.

Senator COBURN and I have tried to address these problems by offering a sensible package of amendments to ensure fiscal accountability and transparency. We have proposed the appointment of a chief financial officer to oversee the spending of Federal funding. We have proposed limits on the amount of overhead expenses a contractor can charge the Federal Government, and we have proposed that the details of all large Katrina contracts be posted on the Internet.

Unfortunately, these amendments are not germane now that cloture has been invoked. I think that is unfortunate. It is unfortunate because the interests of the American taxpayer are not being well served by this body. Even though we will have appropriated well over \$100 billion by the end of this week for Katrina relief and recovery, we haven't put in any accountability systems to ensure that the money is well spent.

I am aware that I am new to this body, but I am troubled that Senate rules are getting in the way of sound policy. I understand that is how the Senate works, so Senator COBURN and I are here to offer one modest amendment to protect taxpayer dollars. Our amendment addresses no-bid contracting and is germane to the underlying bill.

Immediately after the hurricane, FEMA awarded four \$100 million no-bid contracts to four large companies—400 million taxpayer dollars—without full and open competition. Acting FEMA director David Paulison was asked about these contracts when he testified before the Senate Homeland Security and Governmental Affairs Committee on October 6, 2005, and he said the following:

I have been a public servant for a long time and I have never been a fan of no-bid contracts. Sometimes you have to do them because of the expediency of getting things done. And I can assure you that we are going to look at all of those contracts very carefully. All of those no-bid contracts, we are going to go back and rebid.

Senator COBURN and I expected Director Paulison to stick to his word and rebid these contracts. But a month and a half passed, and the contracts still had not been rebid. So last November, we introduced an amendment to the tax reconciliation bill expressing the sense of the Senate that FEMA should immediately rebid these contracts. Our colleagues agreed and the amendment passed by unanimous consent.

After our amendment passed, both Senator COBURN and I met again with Director Paulison and again he assured us these contracts would be rebid. Yet, surprisingly enough, these contracts still have not been rebid. And to add insult to injury, FEMA said in March that the contracts would not be rebid after all. In fact, the contracts have actually been extended, despite the fact that GAO found three of these four firms had wasted millions of dollars in taxpayer funds.

The abuse doesn't stop with these four contracts. We learned 2 weeks ago that the Army Corps of Engineers missed an opportunity to negotiate a lower price on a \$40 million contract for portable classrooms in Mississippi. Instead, a no-bid and overpriced contract was awarded to an out-of-State firm. I have often heard it said that the definition of insanity is doing the same thing over and over again and expecting a different result. Frankly, what we are doing with Katrina funding borders on insanity. We in Congress keep